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August 24, 2006

**BY FACSIMILE TRANSMISSION**

The Honorable Allyn R. Ross  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

*Respectfully referred to assigned  
Magistrate Judge MANN  
Sonded.*

Re: Samer Jabr, et al. v. Salvation Army, et al.

Dear Judge Ross:

*06 CW 3804 (ARR)*

*cc: Counsel  
Mag. Judge MANN*

I am the Assistant Corporation Counsel assigned to represent the City of New York in the above-referenced case. I write to request an extension of time from September 6, 2006 until October 20, 2006 to respond to the complaint. The original date for City Defendants to respond to the complaint is September 6, 2005. This is the first request for an extension of time in this matter. Plaintiffs consent to this request.

There are several reasons for this request. First, as of today, only the City and Commissioner Mattingly have been served. The individual defendants have not been served. For reasons of economy, we prefer to respond to the complaint once on behalf of all defendants. Once the individual defendants are served, pursuant to § 50-k of the New York General Municipal Law, the Corporation Counsel's Office must determine, based on a review of the facts of the case, whether we may represent any or all of the individually named defendants. The individual defendants must then decide whether they wish to be represented by the Corporation Counsel. See Dunton v. County of Suffolk, 729 F.2d 903 (2d Cir. 1984). If so, we must obtain their written authorization. Only then can the defendants be interviewed in order to make a decision as to how to proceed in the case.

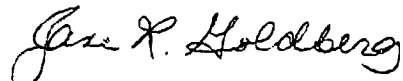
Additionally, an extension of time is needed in order to determine whether there will be an insurance takeover of the defense of this action. As Your Honor may be aware, in some cases, the City of New York is entitled to representation by outside counsel pursuant to contractual agreements between the City and certain private foster care agencies. While it is

likely that this case will be taken over by outside counsel, the City has not yet confirmed that such a takeover will occur.

Finally, we request this extension of time in order to afford our office the opportunity to investigate the legal and factual allegations in the complaint.

Accordingly, we hereby request an extension of time from September 6, 2006 until October 20 2006 to respond to the complaint in this matter.

Respectfully submitted,



Jane R. Goldberg (JG1526)  
Assistant Corporation Counsel

cc: Joy Mele, Esquire  
(by facsimile)